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HUMAN RIGHTS COMMITTEE

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT

Initial reports of States parties due in 1993

Addendum

REPUBLIC OF LATVIA

[13 July 1993]

I. MAIN ETHNIC AND DEMOGRAPHIC CHARACTERISTICS OF THE COUNTRY AND ITS POPULATION

1. Latvia's total resident population at the beginning of 1992 was 2,656,958 (1,237,152 males and 1,419,806 females), 1,396,057 of whom were Latvians, 902,271 Russians, 117,180 Belorussians, 89,322 Ukrainians, 59,678 Poles, 34,144 Lithuanians and 16,319 Jews.

2. The Gross Domestic Product per inhabitant in 1992 was 69,840 Latvian roubles (at current prices). In 1992 the average exchange rate was 1 US$ = approx. 130 Latvian roubles.

3. In 1992 the monthly average labour remuneration of employees in national economy was 4,370 roubles (fourth quarter - 7,580 roubles).

4. Increasing inflation led to a steady decline in living standards. In December 1992 the consumer price index increased 10.8 times as compared with December of the previous year, but salaries only 7-8 times. Thus, the purchasing power of the employed had dropped 26 per cent over the given period.

5. Due to the tight monetary policy of the Bank of Latvia the rate of inflation at the end of the last year considerably decreased and in December achieved 26 per cent in comparison with November; in January of 1993 it was 4.2 per cent, in February 2.9 per cent, in March 2.4 per cent and in April 0.3 per cent.

6. The official level of unemployment at the beginning of May 1993 was 4 per cent (more than 50,000 officially registered unemployed). According to the short-run forecast of development of the national economy, unemployment could reach 12 per cent by the end of this year.

7. The literacy rate per 1,000 population 15 years and over (at the beginning of 1989):

Graduates of institutions of higher education - 115;

Unfinished higher education - 23;

Graduates of institutions of secondary special education - 168;

Graduates of secondary schools - 298;

Unfinished secondary education - 234;

Graduates of primary schools - 128;

Did not finish junior schools - 34.

8. The population by mother tongue:

Latvian - 1,385,635;

Russian - 1,122,076;

Ukrainian - 45,571;

Belorussian - 38,527;

Lithuanian - 22,122.

9. Life expectancy for males is 64 years, for females - 75. The infant mortality rate is 15.6 per 1,000 births. The annual number of births per 1,000 women aged 15-49 years (in 1991) is 53.9.

10. Resident population by age (at the beginning of 1992):

Under 15 years - 570,109;

65 years and over - 326,088;

of which females:

Under 15 years - 279,360;

65 years and over - 228,516.

11. At the beginning of 1992 Latvia's total number of resident population was 2,656,958 of which 1,846,878 were in urban areas and 810,080 in rural areas. The ratio of urban population was 69.5 per cent. Population density is 40.3 persons per sq. km.

12. The Lutheran and Catholic religions dominate.

II. THE GOVERNMENT

13. The highest legislative body is Saeima (the parliament) elected on 5-6 June 1993. The previous parliament (the Supreme Council) was a transitional parliament.

14. The highest executive body is the Council of Ministers. Regions are locally governed by respective Councils of Deputies within federally established guidelines.

15. At present Latvia has the following court system:

District, city, city district people's court;

Supreme Court;

Commercial Court;

Constitutional Court (only declared, but not established).

16. The legislature has passed a Court Power Act (15 December 1992). Several main provisions of this law will come into force only when the laws on civil and criminal procedure are passed by the newly elected parliament. In that case Latvia will finally have the following court system:

District, city, city district courts;

Regional courts (five regional courts as the first instance and as a court of appeal for district, city, city district courts);

Supreme Court (consists of Senate as a cassation for all cases, and Court Chambers as court of appeal for all cases which the regional court has examined as the first instance).

17. The parliament has a number of Standing Commissions which have the right to control the implementation of laws. Within the Human Rights and Nationality Issues Commission, every member of the Commission specializes in a specific issue and is responsible for control over the implementation of the respective laws.

18. An individual who claims that any of his rights have been violated may apply directly to the court.

19. The Constitution of 1922 of the Republic of Latvia has no provisions on human rights. The rights and freedoms referred to in the various human rights instruments a.e protected by a separate bill of rights - Constitutional Law "The Rights and Obligations of a Citizen and a Person" (10 December 1991).*

20. The Supreme Council of the Republic of Latvia (former parliament) recognized the primacy of fundamental principles of international law over national law. Since these principles in particular involve a duty to ensure universal and effective observance of human rights and fundamental freedoms, by that very fact Latvia has recognized the pre-eminence of those rights and freedoms in relation to Latvia's domestic law.

III. LEGISLATION CONCERNING HUMAN RIGHTS

21. The main instrument of domestic legislation in the field of human rights protection is Constitutional law "The Rights and Obligations of a Citizen and a Person". The rights contained in article 2, paragraph 1, of the International Covenant on Civil and Political Rights are guaranteed in article 12 of the Constitutional Law, as well as in the Code of Criminal Procedure and in other legislative acts of procedural character.

22. Measures which can be taken derogating from certain obligations under the Covenant (art. 4 of the Covenant) are determined in the Law on State Emergency of 12 February 1992. According to this law, emergency rule can be established only in due conformity with the law in the following situations:

If there is a danger of external aggression;

If the existing State system is under the threats of mutiny;

In case of serious disasters, catastrophes, epidemics, etc.

Emergency rule may last not longer than six months. The Secretary-General of the United Nations must be informed of every case of emergency rule in the country.

23. The following restrictions can be imposed during the state of emergency: prohibition to organize meetings, demonstrations and strikes; special rules governing migration and motion of peoples within the country; suspension of activities of the political parties; etc. All these measures must comply with the legislation and with the Law on State of Emergency in particular.

24. The use of death penalty is reduced. A person can be sentenced to the death penalty in certain cases according to article 22 of the Criminal Code. These cases may be murder with aggravating circumstances, hijacking, production of false bank notes, rape, etc. In practice, the death penalty is used extremely rarely. In 1991, four executions were carried out and in 1992, two.

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* Available for consultation in the files of the Centre for Human Rights.

25. It should be mentioned that a working group for the drafting of a new Criminal Code has been established recently.

26. Persons under the age of 18 cannot be sentenced to the death penalty (art. 28 of the present Criminal Code).

27. Article 15 of the Constitutional Law "The Rights and Obligations of a Citizen and a Person" prohibits torture and other cruel, inhuman or degrading treatment of a person.

28. Article 20 of the Constitutional Law prohibits forced labour.

29. Freedom of person is guaranteed in article 15 of the Constitutional Law as well as in article 11 of the Code of Criminal Procedure. A person cannot be arrested without a court order or the sanction of a judge, and must be released immediately in the case of unlawful arrest.

30. Articles 28 and 29 stipulate that each person has the right to freely depart for or emigrate to foreign countries as well as move within the territory of Latvia.

31. Each person has the right to defend his/her rights and interests in court. Article 4 of the Court Power Act guarantees equality of all persons under the law regardless of race, nationality, sex, language, party affiliation, political and religious persuasion, social, material and occupational standing and origin. The aforementioned Constitutional Law contains the same provision in article 12.

32. Each person has the right to the assistance of an attorney. The State guarantees this right (arts. 19, 21, 22 and 23 of the Court Power Act).

33. The rights contained in articles 17-26 of the International Covenant on Civil and Political Rights are guaranteed by Constitutional Law "The Rights and Obligations of a Citizen and a Person".

34. The drafting of the new Criminal Code and the Code of Criminal Procedure is now going on. It is expected that these new Codes will contain provisions ensuring more complete observance of rights and freedoms according to the International Covenant on Civil and Political Rights and other international treaties.